

December 4, 2006
Madera County Environmental Health Dept. CUPA
Second Quarterly Response to June 7, 2006 Evaluation

Deficiencies and Corrective Actions

Deficiencies #1, 3, 8

These deficiencies pertained to Madera County CUPA failure to meet inspection frequencies. We have continued to collect monthly inspection tallies at CUPA staff meetings and five months into the 06-07 fiscal year we have conducted:

161 HMRRP inspections (annual goal: 126 inspections).

84 Hazardous Waste Generator Inspections (annual goal: 32 inspections).

39 UST Inspections (annual goal: 80 inspections).

We are currently on target to meet or exceed all of our inspection goals. This will enable our staff to concentrate for the next few months on implementing the Ag Handler and CalARP programs noted in Deficiencies #6 and #7.

6. Deficiency:

The CUPA is not implementing and enforcing the requirements of the Business Plan Program for all businesses subject to the requirements of Chapter 6.95, Article 1. Specifically, agricultural handlers have neither been regulated, nor properly exempted from the requirements of the Business Plan program.

CUPA Corrective Action:

The CUPA has obtained a list of 2006 pesticide permit holders from the Agricultural Commissioner's office. The list contains 926 names. These names have been used to create mailing labels. The CUPA will make a presentation to the Madera County Board of Supervisors on either January 30 or February 6, 2007. We are presently working on a letter to the Board of Supervisors. A draft of the letter is included. The final letter must be reviewed by the Environmental Health Director, the Resource Management Agency Director, County Counsel, County Auditor and the County Administrative Officer before the item can be placed on the Board Agenda.

The CUPA Program manager attended a 8-hour class on Microsoft PowerPoint. We are developing a PowerPoint presentation for the farming community in order to instruct them how to both apply for a remote facility exemption or complete the required HMRRP forms.

We have obtained Business Plan Remote facility exemption forms from other agencies and are amending it to fit our needs.

7. Deficiency:

The CUPA is not fully implementing the CalARP Program. RMPs have not been obtained from all participants in the federal RMP program. The CUPA has not fully identified all potential California-only stationary sources, and has done no preliminary risk determinations.

CUPA Corrective Action:

The CUPA has determined that 22 facilities subject to CalARP have stationary sources in Madera County. Madera County sends invoices for annual permit fees to all regulated facilities in mid-December. For each of the CalARP facilities we have entered a CalARP surcharge program element in our database. Each of the 22 CalARP program facilities will be billed the surcharge for 2007. In previous years we had only billed 8 surcharges for the known Federal RMP facilities.

A letter will be sent to all of the new facilities in advance of the annual billing informing them of the CalARP surcharge and the CalARP program.

Madera County has 6 California-only CalARP facilities that have ammonia. Those 6 facilities will be sent a letter requiring submission of an RMP by June 30, 2007.

We have obtained CalARP inspection forms from other agencies and are developing a form that suits our needs.